

## **REMARKS**

By the present Amendment, claims 11, 14, 15, 17, 19, 21 and 23 are amended, and claims 25 and 26 are added. This leaves claims 11, 12 and 14-24 are pending in the application, with claim 11 being independent.

### **Rejections Under 35 U.S.C. §§102 and 103**

Amended claim 11 covers a filter device having a filter housing 22, a filter element 10, a fluid container 40 and a connector 44. The filter housing has fluid connections 30 and 36 and an exterior surface. The filter element is held in the filter housing. The filter container also has an exterior surface, and is located adjacent to and side-by-side with the filter housing to define a lateral space therebetween. The connector couples the fluid connections to the fluid container, and has at least one longitudinally displaceable blocking part 46 blocking the fluid connections in a blocking position (Figs. 1, 3A and 3B) and opening the fluid connections in an open position thereof (Figs. 2 and 3C). The blocking part is located between and accessible from the exterior surfaces of the filter housing and the filter container when the filter housing and the filter container are coupled by the connector, and includes a plate-shaped sliding valve part guided for movement between and sealed between first and second connecting plates 42, 48 of said connector by seals 50 facing the filter housing and facing the fluid container. The connector with the blocking part is located in the lateral space with the filter housing and the fluid container being on opposite sides of the connector.

By forming the filter device in this manner, the connector can be simply formed and operated. Particularly, the blocking part can be operated independent of movement of the filter device and the fluid container, and is sealed to and guided by both connecting plates of the

connector during movement of the blocking part in the lateral space between the filter housing and the fluid container.

Claims 11, 14-21, 23 and 24, as well as apparently claim 12, stand rejected under 35 U.S.C. §103 as being unpatentable over DE Patent 3100499A1 in view of U.S. Patent No. 4,529,515 to Selz. The DE patent is cited for disclosing a filter device having a filter housing 6, a filter element 9 held in the filter housing and a fluid container having an exterior surface, even though such fluid container is not illustrated. A connector 1 allegedly couples the filter element to the fluid container, and has at least one displaceable blocking part 10-12 blocking fluid connections in a blocking position and opening the connections in its open position. DE patent blocking parts 10-12 are allegedly between and accessible from exterior surfaces of the filter housing and the fluid container, with the blocking part allegedly including a plate-shaped valve part guided for movement between the connecting plates of the connector, as allegedly shown in the figure on the top of page 4 of the Office Action. The Selz patent is cited for a valve having sealing elements 22 for sphere 10. In support of the rejection, it is alleged that it would be obvious to provide the Selz sealing elements for the DE patent blocking parts 10-12.

Relative to claim 12, the Selz patent is relied upon for allegedly teaching use with hydraulic fluid.

Relative to claim 14, the DE patent blocking part 10-12 is alleged to have wall parts that cover and clear the fluid connections.

Relative to claim 15, the DE patent fluid passages are alleged to be located one on top of the other in a longitudinal direction of the filter housing, with the blocking part have clearance openings between the wall parts.

Relative to claims 16 and 17, the DE patent valves 10-12 are cited.

Relative to claim 18, the DE patent is alleged to have the recited features.

Relative to the locking part recited in claim 19, the valve stem is apparently relied upon.

Relative to claim 20, the DE patent valve stem is alleged to be a locking pin.

Relative to claim 21, the DE patent is alleged to have a handle for manual operation of the blocking part.

Relative to claim 23, the blocking plate 10-12 of the DE patent allegedly moves translationally.

Claim 22 stands rejected under 35 U.S.C. §103 as being unpatentable over the DE patent and Selz patent when further considered in view of U.S. Patent No. 6,579,455 to Muzik. The Muzik patent is cited for the use of plastic and steel that allegedly would be obvious to use in making the DE patent device.

Claim 11 is patentably distinguishable over the DE patent by the blocking part being located in the lateral space between and accessible between the exterior surfaces of the filter housing and the filter container when the filter housing and the fluid container are coupled by and on opposite sides of the connector. In contrast, the parts of the DE patent alleged to correspond to the claimed blocking part and accessible from the exterior surfaces of the fluid housing and the fluid container are the DE patent handles 17. Those handles, as well as the remaining parts of valves 10-12 of the DE patent, are located at an end of housing 6, and are not a lateral space located between the exterior surfaces of the filter housing and the fluid container with the filter housing and the fluid container being on opposite sides of the connector, as recited in claim 11. Any fluid container connected to DE patent housing 6 by connector 1 is not shown to be located

or connected so as to locate handles 17 in a lateral space between housing 6 and that fluid container, with the housing 6 and that fluid connector being on opposite sides of connector 1 based on the DE patent disclosure.

Claim 11 is also patentably distinguishable over the DE patent by the two connecting plates guiding and being sealed to a plate-shaped sliding valve part between the connector plates. In contrast, the DE patent valve parts 10-12, alleged to correspond to the claimed plate-shaped sliding valve part, are not guided by and are never sealed to both of the parts of the connector alleged to be the first and second connecting plates of the connector. Particularly, none of the DE patent valves are not shown or disclosed to be sealed to the alleged first connecting plate even in the open positions thereof.

Relative to the alleged addition of the Selz seals to the DE patent blocking parts, the construction and operation of these two devices is so different that it would not be obvious to combine them in the manner proposed in the rejection.

Accordingly, claim 11 is patentably distinguishable over this DE patent and the Selz patent.

Claims 12 and 14-26, being dependent upon claim 11, are also allowable for the above reasons. Moreover, these dependent claims are further distinguished by the additional limitations recited therein.

Claim 12 is further distinguished by the fluid container comprising a hydraulic tank, particularly within the overall claim combination. No analogous subject matter or common problem is shown to render the alleged combination of patents obvious.

Claim 14 is further distinguished by the fluid inlet and outlet, the fluid passages in the connecting plates and the blocking part having wall parts, as claimed. Such features are not anticipated or rendered obvious by the DE patent, since no openings in the DE patent valves clear the fluid connections.

Claim 15 is further distinguished by the fluid inlet and outlet and the fluid passages being located one of top of another. In contrast, the various fluid passages in the DE patent are located along a direction transverse to the longitudinal axis of the filter housing, not in the direction of the longitudinal axis, as clearly recited therein. Further, the alleged DE patent blocking part 10-12 does not have the claimed clearance openings.

Claim 16 is further distinguished by the recited valves which are separate or independent from the blocking part. DE patent valves are improperly read as 10-12 as both the first and second valves and the blocking part, which double reading is improper.

Claim 17 is further distinguished by the valve disks recited therein. The DE patent valves 10-12 cannot provide both the claimed blocking part and the claimed valve disks.

Claim 18 is further distinguished by the attachment part and the flange parts, particularly within the overall claim combination.

Claim 19 is further distinguished by the locking part with its mating opening in one of the flange parts and the recess in the blocking part, with the locking part, opening and recess extending transversely to the movement direction of the blocking part. The DE patent valve stem is not located in an opening of a flange part and in a recess in the blocking part and do not extend, as claimed.

Claim 20 is further distinguished by the locking device being a locking pin. The DE patent valve stem is not a locking pin.

Claim 21 is further distinguished by the handle on each of the filter housing and the blocking part, as specifically recited therein. No handle is provided on the DE patent filter housing. By reciting a handle on each of the filter housing and the blocking part, two handles are recited, one on the filter housing and one on the blocking part.

Claim 22 is further distinguished by the use of cast aluminum and steel or plastic for the various parts, within the overall claim combination.

Claim 23 is further distinguished by the blocking part moving translationally between its blocking and open positions. Since the DE patent plates of valves 10-12 each rotate, they do not move translationally, as claimed. Translational movement must be without rotation.

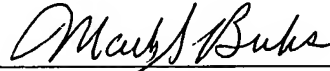
Claim 24 is further distinguished by the fluid connections extending perpendicular to the longitudinal axis of the filter housing, within the overall claimed combination.

Claim 25 is further distinguished by the blocking part having two openings and two wall parts. No openings are provided in the DE patent valve parts.

Claim 26 is further distinguished by the two openings and two wall parts being fixedly connected for simultaneous movement only. The DE valve parts move independently of one another

In view of the foregoing, claims 11, 12 and 14-26 are allowable. Prompt and favorable action is solicited.

Respectfully submitted,



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